

alternator has a continuous capacity 1250 amps, and a 15 minute rating of 1700 amps at a maximum voltage rating of 1250 direct current. The power unit is self contained encompassing all the accessories necessary for a locomotive. The power units also contain a hydraulic driven 2-stage air compressor which provides air for the air brake system and train air for the balloon suspension system of the bogies.

3R request for a waiver from 49 CFR Part 231 and 232 is for the lack of safety appliances and handholds on the bogies, rear counter weight, or semi-trailers in the train. The cab control unit has an automatic front coupler and some safety appliances. Some handholds are applied to the power units. The semi-trailers are connected to the bogies by use of kingpins and fifth wheels commonly found in highway tractor/semi-trailer service. The cab control unit, power units and bogies have no hand brakes per se, but are equipped with a spring loaded parking brake.

The 3R rail system has not been used in the United States. A consist of a cab control unit, a power unit, three containers on chassis (semi-trailers), one dead weight unit, and sufficient bogies to assemble the train was tested by the Association of American Railroads (AAR) at the Transportation Technology Center (TTC) in Pueblo, Colorado, from December 1994 to April 1995. The train was tested according to the specifications of Chapter XI, of the AAR's M-1001, *Manual of Standards and Recommended Practices*. The 3R train performed within Chapter XI performance standards, and indicate the likelihood of safe car performance.

3R's objective in the United States is to allow short line operators to benefit from their value added road/rail transportation system, by transporting on rail, the freight that would be destined to an alternate and less desirable mode of transportation. When the waiver petition was submitted by 3R, two United States short line railroads had shown a strong interest in its road/rail system. Rail America, one of the short lines, would like to operate two road/rail convoys of six power units each with sixty containers. The equipment will operate at approximately 45 mph and haul domestic waste in 82,500 pound containers from inner-city points to suburban waste dumps.

Interested parties are invited to participate in this proceeding by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with this proceeding since

the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number LI-96-1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Communications received within 45 days of the date of publication of this notice will be considered before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Issued in Washington, D.C. on July 2, 1996.  
Phil Olekszyk,

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

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### Petition for Waivers of Compliance

In accordance with 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from the De Queen & Eastern Railroad Company, Texas, Oklahoma & Eastern Railroad Company a request for a waiver of compliance with certain requirements of Federal regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

De Queen & Eastern Railroad Company  
Texas, Oklahoma & Eastern Railroad Company

[Docket Number SA-96-4]

The De Queen & Eastern Railroad Company; Texas, Oklahoma & Eastern Railroad Company (DQE-TOE) seeks a waiver of compliance from certain sections of 49 CFR Part 231, Railroad Safety Appliance Standards. The DQE-TOE is requesting a permanent waiver of the provisions of 49 CFR Part 231 which requires end ladders. The DQE-TOE wish to remove the end ladders on the subject cars.

The DQE-TOE has 300 high side open top cars for hauling wood chips. Two

hundred of these cars are end dump cars, in that the ends when unlocked swing upwards permitting easier unloading of the wood chips.

49 CFR 231.1(e)(3) requires one ". . . [ladder] on each side, not more than 8 inches from left side of car ". . ."

The DQE-TOE states that the end ladder ladders serve no useful purpose and are costly to maintain. The end doors are opened by machinery and are constantly being damaged.

The DQE-TOE operates freight service from Perkins, Arkansas to Valliant, Oklahoma, a distance of eighty-six miles one way. Two trains are operated daily for the movement of approximately thirty (30) cars of wood chips in each train.

The DQE-TOE further state that company policy prohibits employees from using these ladders and that the removal of the end ladders would not have an adverse effect on safety.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number SA-96-4) and must be submitted in triplicate to the Docket Clerk, Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Communications received before August 19, 1996, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.—5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street S.W., Washington, D.C. 20590.

Issued in Washington, D.C. on July 2, 1996.  
Phil Olekszyk,

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